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June 12, 1992

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RECEIVED
PHILIP MORRIS MANAGEMENT CORP.
LEGAL DEPARTMENT
JUN 16 1992

Philip Morris Case PM-1658
Strip Application Unit NOTED

Dear Charles:

We have now received a report on the patentability search conducted in connection with the strip application unit invention described in the disclosure accompanying your letter of December 11, 1991. The patents uncovered as a result of the search are listed in an appendix to this letter, and copies of the patents are enclosed as well. After consideration of these patents, it is my opinion that it would be very difficult to obtain meaningful patent protection for the invention as presently disclosed.

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The Invention

The invention comprises a method and apparatus for cutting strips of paper and gluing the strips at spaced intervals to an advancing sheet of paper. Although the invention has applications broader than paper-on-paper, the embodiment disclosed alters the burn rate characteristics of a base paper web by gluing additional strips of paper to the web.

In the invention, a supply of strip paper is fed between a pair of nip rollers to a gummer assembly where adhesive is applied to one side of the strip paper. The other side of the strip paper contacts the surface of a vacuum tension roller, passing over the roller and then through a guide tracker.

The adhesive-coated strip paper is then fed to a suction drum, where the non-coated surface of the strip paper contacts the periphery of the suction drum. The suction drum has a plurality of ports machined in its periphery through which suction is applied, maintaining the strip paper in contact with the suction drum. The periphery of the suction drum is rotating at a linear speed greater

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than the strip paper supply rate, causing the strip paper to slide over the periphery of the suction drum.

Adjacent to the suction drum is a rotary knife drum, which has a plurality of knives attached to its periphery. The rotary knife drum severs advancing portions from the strip paper at spaced intervals. Suction supplied through the ports in the suction drum retains the severed strips at these intervals on the surface of the suction drum.

Continued rotation of the suction drum brings the severed strips adjacent to an advancing web of base paper. The web of base paper passes between the suction drum and an applicator drum where the web contacts the adhesive-coated side of the severed strips. The adhesive causes the strips to adhere to the web, and the strip spacings are maintained on the web.

The Prior Art

None of the prior art uncovered describes a strip application invention used for altering burn rate characteristics of cigarette paper. Features of the invention are disclosed, however, in references respecting

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cigarette tipping, cigarette packaging, envelope production and diaper production.

For instance, Molins' Ahern 4,548,216 concerns an invention which "enables conventional filter-tipped cigarettes to be made, with the 'cork' or other uniting web surrounding the entire filter portion instead of only the end adjacent to the tobacco rod" (col. 1, lines 39-43). A feature of the invention includes severing advancing portions of gummed tipping material with knives mounted on a rotary knife drum while the tipping material slides over the periphery of a suction drum. The suction drum is moving at a speed greater than supply rate of the tipping material, introducing intervals between severed sections of tipping material. The severed sections of tipping material adhere to the periphery of the suction drum until they are fed onto a web which begins the tipping process.

Stone 2,866,464 and Molins et al. 2,958,365 disclose similar combinations of elements including a rotary knife and suction drum for use in cigarette production. For example, Molins describes "improvements in ... [an] apparatus for applying portions of material to a continuous

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web at spaced intervals along the web (e.g., applying tips to a web of cigarette paper)" (col. 1, lines 20-23).

Respecting applications other than paper-on-paper, Helm 4,642,085 discloses a vacuum drum and rotary knife combination for use in applying transparent window strips to paper from which envelopes will be manufactured.

Swenson 4,909,885 describes an invention for applying tape to diapers where a

> "vacuum means is adapted to hold tape fed to the tape-applying wheel in sliding engagement with the circumferential surface of the tape-applying wheel with the tape moving at the tape-feed velocity until it is cut, and the tape-applying wheel is adapted to accelerate each successive piece of tape cut ... to the velocity of the web so that the tape and web are moving at substantially equal velocity when the tape is applied to the web" (col. 2, lines 15-26).

In view of any one of Ahern, Stone, Molins, Helm and Swenson, I believe it would be very difficult to obtain the allowance of claims covering the invention as presently disclosed in paper-on-paper or broader applications. These references disclose the suction drum, rotary knife, and gummer features of the invention, and the sliding engagement of the strip paper over the periphery of the suction drum until advancing portions of the strip paper are severed.

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FOLIO 6

The references also describe the introduction of spaced intervals between the severed strips achieved by operating the suction drum at a speed higher than the strip supply rate.

Conclusion

The features of the strip application unit are found in the prior art. Thus, in my opinion, Philip Morris would not likely be able to obtain meaningful patent protection for the invention. This opinion is based on the disclosure provided to us. If additional features of the invention exist or if they are developed in the future, the picture as to patentability may change. But for now I recommend against filing a patent application. Please let me have your instructions.

Sincerely,

CBS:wpc

Charles B. Smith

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TO Charles E. B. Glenn, Esq.

FOLIO 7

Appendix

The following patents, copies of which are enclosed, were identified in the search:

1,259,548	Muhlbauer
1,393,524	Grupe
1,393,526	Grupe
1,476,075	Harwood
1,723,068	Parsons
2,197,072	Craggs
2,204,369	Leary
2,866,464	Stone
2,958,365	Molins et al.
2,990,081	De Neui et al.
3,226,282	Jackson
3,391,699	Stericker
3,835,756	Bosse
4,163,684	Kartanson
4,548,216	Ahern
4,608,115	Schroth et al.
4,642,085	Helm
4,739,775	Hampl, Jr.
4,795,510	Wittrock et al.
4,909,885	Swenson

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